

Received
8/15/2013

Mr. Newton Tedder
USEPA Five Post Office Square – Suite 100
Mail Code- OEP06-1
Boston, MA 02109-3912

RE: Response to draft MS4 permit

Dear Mr. Tedder,

August 9, 2013

Thank you for extending the period in which communities may comment on the draft MS4 Permit. The Town of Hampstead has several concerns as it relates to the abovementioned topic.

Street Sweeping

The Town of Hampstead has no curbs in town other than those on State-owned highways. I researched the topic of street sweeping. According to Roger C. Sutherland, P.E. (Senior Water Resource Engineer with AMEX Earth & Environmental in Tigard, Oregon.), in his article *Street Sweeping 101*, (from Stormwater – news Jan. – Feb. 2011), he wrote the following:

Barriers such as street curbs or New Jersey median barriers are known to have a significant effect on both the accumulation of “street dirt” and the ability of street cleaners to effectively pick up the accumulated material...So the focus of the (sic a) good street sweeping program should be on streets and roadways that are curbed or have other barriers like New Jersey barriers...

Under closing remarks, Mr. Sutherland wrote:

A great deal of controversy currently surrounds the question of how much of the pollution generally found in urban stormwater runoff can be reduced by street sweeping practices (Sutherland 2009b)...

In addition, conditions of the roadway play a factor with regard to how effective street sweeping is or is not.

Finally on this topic, under EPA's Nation Pollutant Discharge Elimination System (NPDES), **Street Sweepings Reuse Practices: Although sweeping may contain pollutants, federal and state regulation may allow the reuse of sweepings for ... road shoulders and other applications as long as the material is not a threat to surface waters...**

Illicit Discharges

The entire town of Hampstead is serviced by private septic systems. So what kind of illicit discharge would be discharging into a system that doesn't exist for the Town? I might have interpreted the requirement incorrectly and therefore in this instance the Town would need specific direction from EPA or an indication that the Town is exempt from this particular requirement.

As we discussed when we spoke over the phone, the towns that fall under the MS4 permit vary greatly in population, density, infrastructure, Stormwater knowledge and manpower. Therefore EPA would have to work hand-in-hand with the smaller communities so that those communities understand specifically what is required and how it differs from the urbanized communities.

Naturally occurring vs. man-made pollutants

PH levels in the Town's ponds may exceed the desired limits. How does the Town determine what is occurring naturally through "acid rain" with an increase in Nitrogen and Sulfur, and what could be the result of stormwater run-off, which, in and of itself would naturally carry a higher PH level because stormwater is rain.

Bacteria levels may also be elevated in areas where there are beaches. Beaches attract ducks because ducks comb the beach for food crumbs. How would the Town distinguish between bacteria from ducks or otherwise?

Benthic-Macroinvertebrate Bioassessments

The area of Kelly Brook is surrounded by conservation land and residential homes. The Town is built out by approximately 95%. For the residents who live near Kelly Brook – how are we going to limit the impervious surface? Not let the homeowner put up a storage shed or pave his or her driveway?

Salt (Chloride) vs. Safety

There is a fine line between reducing the amount of salt applied to the roads in the winter to such an extent that there is a public safety issue.

Endangered Species Act Requirements

The Town has no knowledge or experience with this. In the past, when the Town has requested funding through grants, federal and/or state agencies determined whether or not endangered species was an issue.

Finally, Cost for implementation

The Town had an outside agency provide an estimate for work that is needed. For year one of the permitting process, the cost would be approximately \$58,000 + and an additional \$52,000 + for years two through four.

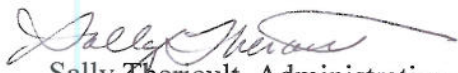
Shouldn't the EPA determine what the issues are, what is contributing to these issues and how the EPA can resolve the problem, instead of the Town doing this, particularly in light that the Town has neither the knowledge nor the skill. Further, it does not have the funds or manpower to accomplish all that the EPA is requiring?

What ramifications/penalties can be instituted by EPA or other agency should a Town not comply fully or at all with the permitting requirements, whether willfully or not? Who would be held responsible?

For budgeting purposes, this funding would have to be a new line-item in the budget or a warrant article. Should the town not support the new line-item or warrant at Town Meeting, no funds could be used for this purpose for 2014. What happens then?

Thank you for getting back to me regarding the concerns listed above.

Sincerely,


Sally Theriault, Administrative Assistant